

1 WILLIAM W. BURNS, ESQ., SBN: 44187  
2 LAW OFFICES OF WILLIAM W. BURNS  
3 15720 WINCHESTER BLVD., SUITE 201  
4 LOS GATOS, CALIFORNIA 95030  
5 TELEPHONE: (408) 395-2226  
6 FACSIMILE: (408) 395-6480

7 Attorney For Defendant Sanford Wallace

**FILED**

JUL 18 2014

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
10 SAN JOSE DIVISION

11 UNITED STATES OF AMERICA,

CASE NO. CR 11-00456 EJD

12 Plaintiff,

MOTION TO WITHDRAW AS  
COUNSEL OF RECORD

13 VS.

14 SANFORD WALLACE,

DATE: JULY 21, 2014

TIME: 9:00 A.M.

COURTROOM: 4

15 Defendant

JUDGE: HON. EDWARD J. DAVILA

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17 \_\_\_\_\_/  
18 WILLIAM W. BURNS, ESQ., hereby gives NOTICE of his Motion to  
19 withdraw as Counsel of Record for Sanford Wallace, Defendant. This Motion is based  
20 upon this Notice and the Declaration of William W. Burns, ESQ. in Support of Motion  
21 To Withdraw As Counsel Of Record.  
22

23 Dated: July 17, 2014  
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28 MOTION TO WITHDRAW

1                                    **DECLARATION OF WILLIAM W. BURNS, ESQ.**

2                    **IN SUPPORT OF MOTION TO WITHDRAW AS COUNSEL OF RECORD**

3                    I, WILLIAM W. BURNS, ESQ., herby declare:

4                    1. That I am an Attorney committed to practice before all of the Courts  
5 of the State of California and the United States District Courts of Northern California;

6                    2. That I entered into a Retainer Agreement with Defendant Sanford Wallace  
7 to defend him in the instant Case. That Mr. Wallace has failed to comply with the  
8 requirement of our Retainer Agreement., and that despite reminders by the Office, he  
9 continues to be in the breach of the Retainer Agreement.

10                   3. That the failure of Mr. Wallace to perform according to the terms of the  
11 Retainer Agreement has made it extremely difficult to represent him in this Case;

12                   4. This Office has not been able to communicate with Mr. Wallace. Our  
13 telephone calls and letters requesting a meeting to discuss the Case have gone  
14 unanswered. Mr. Wallace has disconnected the two (2) contact numbers he gave  
15 to this Office;

16                   5. I was retained in accordance with the laws of the State of California.  
17 A copy of this ***MOTION TO WITHDRAW*** has been sent to Mr. Wallace in  
18 accordance with ***California Rule of Court 3.162*** entitled Motion To Be Relieved as  
19 Counsel.

20                   6. By this Motion, I ask the Court to allow me to withdraw from representation  
21 of Defendant Sanford Wallace.

22                   I declare under penalty of perjury under the laws of the State of California that  
23 the foregoing is true and correct to the best of my knowledge.

24                   Dated: July 17, 2014

25                     
26 WILLIAM W. BURNS, ESQ.

27                   ***MOTION TO WITHDRAW***

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ORDER

Accordingly, for good cause shown, this Court **HEREBY ORDERS** that  
**WILLIAM W. BURNS, ESQ.**, be allowed to withdrawn as Counsel of Record for  
Defendant Sanford Wallace.

SO ORDERED:

DATED:

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HON. EDWARD J. DAVILA  
United States District Judge

**PROOF OF SERVICE**

**CASE NAME: UNITED STATES VS. SANFORD WALLACE  
CASE NO. CR 11-00456 EJD**

**I am a citizen of the United States. My address is 15720 Winchester Blvd, Suite 201 California. I am over the age of 18 years, and am not a party to the within action. On the date set forth below, I served the forgoing document(s) described as follows:**


**MOTION TO WITHDRAW AS COUNSEL OF RECORD**

**The person served in Henderson, Nevada was:**

**SANFORD WALLACE  
519 INNESS AVENUE  
HENDERSON, NEVADA 89011**

- ☒ **(BY MAIL)** I am readily familiar with the practice for collection and processing of correspondence for mailing with the United States Postal Service, to wit: that correspondence will be deposited with the United States Postal Service this same day in the ordinary course of business. I sealed said envelope and placed it for collection and mailing on the date signed below following ordinary business practices. [CERTIFICATE OF MAILING]
- ☐ **(BY PERSONAL SERVICE)** I caused such envelope(s) to be delivered by hand this date to the persons listed above.
- ☐ **(STATE)** I declare under penalty of perjury under the laws of the State of California that the above is true and correct.
- ☒ **(FEDERAL)** I declare that I am employed in the office of a member of the Bar of this Court at whose direction the service was made. I declare under penalty of perjury that the forgoing is true and correct.
- ☐ **FACSIMILE**

**Executed on JULY 17, 2014 at Los Gatos, California**

  
\_\_\_\_\_  
**ANN PURPUS**

**PROOF OF SERVICE**

**CASE NAME: UNITED STATES VS. SANFORD WALLACE  
CASE NO. CR 11-00456 EJD**

**I am a citizen of the United States. My address is 15720 Winchester Blvd, Suite 201 California. I am over the age of 18 years, and am not a party to the within action. On the date set forth below, I served the forgoing document(s) described as follows:**

**MOTION TO WITHDRAW AS COUNSEL OF RECORD**

**The person served in the City of San Jose, Santa Clara County, California:**

**SUSAN KNIGHT, ESQ.  
ASSISTANT UNITED STATES ATTORNEY  
UNITED STATES ATTORNEY'S OFFICE  
150 ALMADEN BLVD., SUITE 900  
SAN JOSE, CALIFORNIA 95113**

- ☒ **(BY MAIL)** I am readily familiar with the practice for collection and processing of correspondence for mailing with the United States Postal Service, to wit: that correspondence will be deposited with the United States Postal Service this same day in the ordinary course of business. I sealed said envelope and placed it for collection and mailing on the date signed below following ordinary business practices.
- ☐ **(BY PERSONAL SERVICE)** I caused such envelope(s) to be delivered by hand this date to the persons listed above.
- ☐ **(STATE)** I declare under penalty of perjury under the laws of the State of California that the above is true and correct.
- ☒ **(FEDERAL)** I declare that I am employed in the office of a member of the Bar of this Court at whose direction the service was made. I declare under penalty of perjury that the forgoing is true and correct.

☒ **FACSIMILE**

**Executed on JULY 17, 2014 at Los Gatos, California**

  
\_\_\_\_\_  
**ANN PURPUS**